

Kerala Gazette No. 8 dated 24th February 2009.

PART I



GOVERNMENT OF KERALA

Local Self Government (RD) Department

NOTIFICATION

G. O. (Ms.) No. 338/2008/LSGD. *Dated, Thiruvananthapuram, 22nd December 2008.*

WHEREAS, the Government have, vide notification issued under G. O. (Ms.) No. 74/90/LAD dated 24th May 1990 and published as S.R.O. No. 1464/90 in Section IV, PART I of the Kerala Gazette No. 42 dated 23rd October 1990, sanctioned the General Town Planning Scheme for Malappuram Town under sub-section (3) of section 14 of the Madras Town Planning Act, 1920 (VII of 1920);

AND WHEREAS, it is required to vary the said Scheme for the purpose of making the Zoning Regulations compatible to the present development scenario;

NOW THEREFORE, in exercise of powers conferred by sub-section (2) of section 15 of the Madras Town Planning Act, 1920 (VII of 1920), the Government of Kerala hereby propose to issue a notification varying the said Town Planning Scheme to the extent required, a draft of which is given below as required by sub-rule (1) of rule 72 of the Madras Town Planning Rules, 1933.

Notice is hereby given that the said draft will be taken up for consideration within sixty days from the date of notification and any person interested in the Scheme may submit in writing his objections and suggestions, if any, thereon within the said date.

Objections and suggestions in this regard shall be addressed to the Secretary to Government, Local Self Government Department, Secretariat Annexe, Thiruvananthapuram.

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In exercise of the powers conferred by sub-section (2) of section 15 of the Madras Town Planning Act, 1920 (VII of 1920), the Government of Kerala hereby vary the General Town Planning Scheme (Development Plan) for Malappuram Town sanctioned under sub-section (3) of section 14 of the said Act in G. O. (P) No. 74/90/LAD dated 24th May, 1990 and published as S. R. O. No. 1464/90 in section IV, PART I of the Kerala Gazette No. 42, dated 23rd October, 1990 to the extent as indicated below, namely:—

VARIATION

In the said Scheme, in section VI for “Zoning Regulations” the following shall be substituted, namely:—

“Zoning Regulations

1. All future development shall be in conformity with the provisions of the Development Plan for Malappuram Town.
2. For the implementation and enforcement of the proposals envisaged in the Development Plan for the Municipal Town, areas have been zoned under various uses such as residential, commercial, industrial, public and semi public, etc. Details regarding the nature of uses ‘permitted’, uses ‘restricted’ and uses ‘prohibited’ in each zone are given below.
3. “Uses permitted” in a zone cover the uses that can be normally accommodated in the relevant zone. In some cases it may be possible to permit some other uses also, which are not likely to affect the quality and environment in a zone specified for a particular use. Such cases have to be individually studied based on their performance characteristics and spatial locational factors. Such cases, which come under this category are classified as “Uses Restricted”. “Uses Prohibited” enlists the various objectionable uses in each zone, which shall not be permitted under normal circumstances.
4. Zoning Regulations are not intended to prohibit existing uses that have been lawfully established prior to the enforcement of these regulations. They are essentially intended to help the competent authority in decisions regarding granting or refusal of planning permissions for land use conversions and construction of buildings/structures or any other matter specifically mentioned in these regulations.
5. Existing areas and structures of archeological importance, agricultural uses and religious uses may be permitted to continue in all zones.

General Guidelines

- (i) In land to a depth of 50 meters in Residential Zone and 100 meters in Commercial, Public and Semi Public and Industrial Zones along the sides of roads (public roads) having an existing or proposed width of 12 meters or more uses permitted in Residential, Commercial and Public and Semi Public Zones may also be permitted by the Secretary of the Local Self Government if such uses are not allowable otherwise in the Zoning Regulations. However such uses may not be permitted in Residential Zones if the surrounding area is substantially developed as a Residential Area.
- (ii) In Residential Zones if the area is substantially developed as Residential, the Zoning Regulation spelt out in the scheme shall continue.
- (iii) In Residential Zones, for new Hospitals, the following additional restrictions shall apply :

The minimum extent of land shall be 0.1 hectare with coverage and Floor Area Ratio limited to 30% and 1.0 respectively.
- (iv) Coverage and Floor Area Ratio of all constructions under Restricted Uses, for which concurrence is granted in Residential Zone and Agriculture and Allied Uses Zone, shall not exceed 75% of the coverage and Floor Area Ratio values prescribed in Kerala Municipality Building Rule 1999 the provision for additional Floor Area Ratio with fee as prescribed in the Kerala Municipality Building Rule 1999 will not be applicable.
- (v) Regulation of constructions on the sides of new roads/roads proposed for widening as per the Scheme shall be governed by the distance from the centerline of the road, unless otherwise specified in the General Town Planning Schemes or Detailed Town Planning Schemes or any Detailed Road Alignments approved by the Chief Town Planner.
- (vi) Regarding the assessment of permissibility of uses classified under the category 'Restricted Uses', the Chief Town Planner may issue general guidelines from time to time and such guidelines shall be adhered to by the Responsible Authorities.
- (vii) Large scale development proposals in an area not less than 2 Hectare exceeding an investment of Rs. 50 crores which provide direct employment (after commissioning of the project) to the tune of not less than 500 may be permitted in all zones, subject to the recommendation

of a committee to be constituted by the Government for this purpose, under the Chairmanship of the Secretary, Local Self Government Department consisting of the Chief Town Planner of Kerala State Town and Country Planning Department the Town Planner, District Office of the Kerala State Town and Country Planning Department being the Convenor and the Secretary of the local body concerned and satisfying the following conditions.

- (a) The developer shall produce project cum feasibility report and Environmental Impact Assessment Report, if required of the project to the Convenor of the committee, 15 days in advance of the committee meeting.
- (b) The developer shall produce before the committee all required clearances from the State and Central Government agencies concerned.
- (c) Adequate provision shall be made for supporting infrastructure such as water supply, sewerage, solid waste management etc. Separates sewage treatment plant and solid waste management measures shall be provided and maintained by the developer at his/her cost.
- (d) Adequate Memorandum of Understanding between the developer and the Secretary of the local body concerned shall be undertaken to bring this into effect.
- (e) Maximum Floor Area Ratio shall be 2 and minimum access width shall be 12m.
- (f) The project shall be completed within a period of 3 years if not specified otherwise.

By order of the Governor,

T. K. JOSE,
Secretary to Government.

ANNEXURE I

Type of non-obnoxious and non-nuisance type of service or Light industries permissible in Residential Zones

1. Production of Copra
2. Processing of Arecanut
3. Rice and Flour Mills

4. Production of rice flour etc. by hand pounding
5. Processing of cardamom, ginger, pepper etc.
6. Production of Khandsari from sugar cane
7. Carrying and preservation of fruits and production of Jam, Jelly etc.
8. Processing and preservation of Cashew nuts.
9. Bakeries.
10. Production of Dairy Products.
11. Oil Mills (vegetables).
12. Extraction of oil by ghani.
13. Manufacture of Hydrogenated oil.
14. Manufacture of “aval” (Beaten rice) appalam.
15. Production of Vinegar.
16. Manufacture of soda water, lemonade etc.
17. Manufacture of Ice.
18. Manufacture of Ice cream.
19. Processing, Packing and distribution of Tea.
20. Processing, grinding, packing and distribution of Coffee.
21. Manufacture of Syrup.
22. Manufacture of Beedi.
23. Manufacture of Cigar.
24. Manufacture of Tobacco snuff.
25. Manufacture of chewing Tobacco.
26. Cotton ginning, cleaning, pressing etc.
27. Cotton spinning other than in Mills.
28. Cotton spinning and weaving in Mills.
29. Dyeing and Bleaching of cotton.
30. Cotton weaving in powerlooms.
31. Handloom Weaving.
32. Khadi Weaving in Handloom.
33. Printing of Cotton Textiles.
34. Manufacture of Cotton thread, Rope Twine etc.
35. Jute Spinning.

36. Manufacture of jute products including repairing of gunny bags.
37. Weaving of silk by handloom.
38. Manufacture of hosiery goods.
39. Making of embroidery products.
40. Tailoring.
41. Manufacture of Quilts and Mattresses.
42. Manufacture of Coir and Coir products.
43. Manufacture and assembling of umbrellas and production of spare parts of Umbrellas.
44. Repairing of Umbrellas.
45. Manufacture of wooden furniture and fixtures.
46. Manufacture of structural wooden goods such as doors, beams etc.
47. Manufacture of wooden industrial goods such as parts of handloom, ambarcharka, bobbirs etc.
48. Manufacture of wooden utensils, photo frames, toys etc. and photo framing.
49. Cane industry including baskets, weaving etc.
50. Manufacture of miscellaneous wooden articles such as sticks, sandals, rulers etc.
51. Manufacture of paperboard and paper by hand.
52. Making of paper boxes, bags, envelopes etc.
53. Printing and publishing of newspapers and periodicals.
54. Printing and publishing of books.
55. Miscellaneous printing works including type cutting, book binding.
56. Manufacture and repairing of leather shoes and chappals.
57. Manufacture of leather products such as suitcase, bag etc.
58. Vulcanising and repairing of tyres and tubes.
59. Manufacture of rubber gloves.
60. Manufacture of Rubber products such as rubber-sheets, nipples and rubber shoes including smoke-rubber.
61. Manufacture of pharmaceuticals, chemicals, Ayurvedic medicine etc.
62. Manufacture of agarbathi and other cosmetics.
63. Manufacture of plastic products such as nameplates etc.

64. Manufacture of lemongrass oil, candles etc.
65. Manufacture of cement products such as well-keros, tube, closets etc.
66. Manufacture of structural stone goods, stone crushing, stone carving, stone dressing, marble carving etc.
67. Manufacture of stonewares.
68. Manufacture of stone images.
69. Manufacture of chinawares and crockery.
70. Manufacture of large containers of chinaware.
71. Manufacture of glass and glass products.
72. Manufacture of clay models.
73. Manufacture of Iron and steel furniture.
74. Manufacture and repairing of brass and bell metal products.
75. Manufacture of Aluminium utensils and other products.
76. Manufacture of Tin cans and copper vessels.
77. Electroplating, tinplating, welding etc.
78. Manufacture of Agricultural implements, screws etc. (Blacksmith and foundry).
79. Manufacturing, assembling and repairing of machinery such as water pumps, oil mill chuck etc.
80. Manufacture of small machine tools and machine parts.
81. Manufacture of sewing machine parts and assembling and repairing of sewing machine.
82. Manufacture of electrical machinery and repairing of electric motors, armature windings etc.
83. Manufacture and repairing of electric fans.
84. Charging and repairing of batteries.
85. Repairing of Radios, microphones etc.
86. Manufacture of electric meters, production of electric and allied products, repairing and servicing of electrical appliances.
87. Body building of motor vehicles.
88. Manufacture and repairing of motor engine parts and accessories.
89. Servicing and repairing of motor vehicle.
90. Manufacture of cycle parts and accessories.

91. Manufacture and repair of boats and barges.
92. Manufacture and repairing of animal-drawn and hand drawn vehicles.
93. Repairing of photographic equipments, spectacles etc.
94. Manufacture of medical instruments.
95. Repairing of watches and clocks.
96. Manufacture of Jewellery.
97. Manufacture, repair and tuning of musical instruments.
98. Manufacture of sports goods, balloons etc.
99. Ivory carving and ivory works.
100. Miscellaneous industries.

ANNEXURE-II

List of obnoxious or nuisance industries subject to objectionable odours, fumes, effluents or processors to be located in hazardous zones.

(Grouped under Indian Standard Industrial Classification)

I Manufacture of foodstuff:

Slaughtering, preservation of meat and fish and canning of fish

II Manufacture of Beverages:

1. Production of distilled spirits, wines, liquor etc. from alcoholic malt, fruits and malts in distillery and brewery.
2. Production of country liquor and indigenous liquor such as toddy, liquor from mahua, palm juice.

III Manufacture of Textiles:

Dyeing and bleaching of cotton.

IV Manufacture of wood and wooden products:

1. Sawing and planning of wood
2. Wood seasoning and creosoting
3. Manufacture of veneer and plywood
4. Paper pulp and straw board

V Manufacture of leather and leather products:

Currying, tanning and finishing of hides and skins and preparation of finished leather.

VI Manufacture of rubber, petroleum and coal products:

1. Manufacture of tyres and tubes
2. Manufacture of industrial and synthetic rubber
3. Reclamation of rubber
4. Production of petroleum, kerosene and other petroleum products in refineries
5. Production of chemicals and chemical products

VII Manufacture of chemicals and chemical products:

1. Manufacture of basic industrial chemicals such as acids, alkali and their salts not elsewhere specified (especially sulphurous, sulphuric, nitric, hydrochloric etc. acids) ammonia, chlorine and bleaching powder manufactures.
2. Manufacture of dyes, paints colours and varnishes, printing ink.
3. Manufacture of fertilizers (specially from organic materials)
4. Manufacture of disinfectants and insecticides
5. Manufacture of ammunition : explosive and fire works
6. Manufacture of matches

VIII Manufacture of non-metallic mineral products other than petroleum and coal:

1. Manufacture of cement and cement products
2. Manufacture of lime
3. Manufacture of Plaster of Paris

IX Manufacture of basic metals and their products:

1. Manufacture of iron and steel including smelting, refining, rolling and conversion into basic forms
2. Manufacture of including smelting, refining etc. or nonferrous metals and alloys in basic forms
3. Manufacture of armaments

X Manufacture of machinery (other than transport) and electrical equipments :

Manufacture of all kinds of battery

XI Miscellaneous items not covered above:

1. Incineration, reduction or dumping of offal, dead animal's garbage or refuse
 2. Manufacture of gelatin and glue
 3. Fat, tallow, grease or lard refining of manufacture
 4. Bone meal, bone grist and bone powder
 5. Manufacture of cashew nut shell oil
 6. Other similar types of nuisance industries ”
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